

THE BURLAND-DESBARATS LITHOGRAPHIC AND PUBLISHING COMPANY issue the following periodicals, to all of which subscriptions are payable in advance:—THE CANADIAN ILLUSTRATED NEWS, \$4.00 per annum; THE CANADIAN PATENT OFFICE RECORD AND MECHANICS' MAGAZINE, \$2.00 per annum; L'OPINION PUBLIQUE, \$3.00 per annum.

All remittances and business communications to be addressed to "The General Manager, The Burland-Desbarats Company, Montreal."

All correspondence of the Papers, literary contributions, and sketches to be addressed to "The Editor, The Burland-Desbarats Company, Montreal."

When an answer is required stamps for return postage must be enclosed.

One or two good reliable carriers required—Apply to the MANAGER, BURLAND-DESBARATS COMPANY.

City subscribers are requested to report at once to this office, either personally or by postal card, any irregularity in the delivery of their papers.

THE NEW STORY.

In this issue we give a further liberal instalment of WILKIE COLLINS' new story,

THE LAW AND THE LADY.

This story, considered the best yet written by Mr. Collins, was begun in the CANADIAN ILLUSTRATED NEWS of Nov. 7, (Number 19).

Back numbers can be had on application.

We beg to call the attention of News Dealers throughout the country to the fact that we have secured the sole right for Canada of publishing "The Law and the Lady" in serial form.

FIRST-CLASS AGENTS WANTED

for the advertising and subscription departments of this paper. Good percentage, large and exclusive territory, given to each canvasser, who will be expected, on the other hand, to furnish security. Also for the sale of Johnson's new MAP OF THE DOMINION OF CANADA.

Apply to THE GENERAL MANAGER, The Burland-Desbarats Company, Montreal.

CANADIAN ILLUSTRATED NEWS.

Montreal, Saturday, March 6th 1875.

THE NEW COPYRIGHT ACT.

It is to be hoped that the Bill now before Parliament on this important subject will not be passed in its present shape, nor until it shall have been thoroughly studied by a Committee of the House, and submitted to the criticism, comment, and advice of competent publishers. Any alteration of the existing law, can have no other object than to foster and encourage the printing and publishing trade of Canada, while at the same time the right of the author must be protected, and the interests of the general public be kept in view. Hitherto, the first of these three elements has been sacrificed. The primary object has been, and quite properly, to give the greatest possible freedom to the dissemination of knowledge, and hence for a long time, all manner of literature was admitted into Canada free of duty. Later, the author was protected; inducements held out to him to publish here, and a duty of five per cent levied on books. This was well, when the printing and publishing business in Canada was in its infancy. But now that printing offices are counted by hundreds, and publishing firms by scores, it is time their existence were acknowledged, and their industry protected; and here, let it be remarked, *en passant*, that the Canadian printer and publisher is paying a duty of seventeen and a half per cent on his paper and binding material, and sees the manufactured article, THE BOOK, imported at only five per cent. This already discriminates against him, to the extent of twelve and a half per cent, and favors to that extent the foreign printing trade. The protection of twelve and a half per cent, at present accruing to the British author, is no advantage to the Canadian printer, who must perforce, if he becomes the publisher of a copyright work pay the British author a royalty equivalent to the duty imposed on the American reprint. He thus remains at the same disadvantage of twelve and a half per cent, and the

public are paying twenty-five per cent on the book. The first active principle to be looked for, in the new law, must therefore be the increase and development of the printing and publishing industry of Canada. Legislators need fear no evil result to the public from a bold and effective measure in this sense; competition between printers is keen enough to prevent any rise in the price of books. Let us now analyse the principal clauses of the Bill.

All nations are admitted to copyright. This is as it should be. Some say, the United States do not reciprocate, American authors should not be allowed to copyright; we answer, on the contrary, let them copyright; but make them print and publish in Canada. We go further, we say, *make* them copyright. Discriminate against their American publishers. We proceed. The bill allows the copyright to be granted with the only condition of publication in Canada. We take no notice of the word production, as it is preceded by a fatal *or*. Neither in the 4th nor in the 9th clause, nor elsewhere, does the bill provide that the work be printed in Canada. An American author therefore can appoint a Canadian publisher, print and bind in the States, and issue or publish in Canada, and be protected from Canadian printers. Should it be alleged that the *or* is a clerical error, and that the work to be copyrighted must be produced in Canada, still the clause is insufficient. The production of ten copies would entitle an author to copyright, and then, he can bring in his American edition with flying colours and flaunt it in the face of his astonished Canadian publisher. Then again, *production* is ambiguous. Does it mean printing only, or type setting as well? Stereotype and electrotype plates are admitted free; still, there are many stereotype and electrotype foundries in Montreal, and throughout Canada.

By clause 10, any author may obtain, previous to publication in Canada, an interim copyright of three months duration. And clause 11 provides that if any other person meanwhile prints or imports the work, without the consent of the author, such other person shall be fined, &c. But what about the owner of the copyright? Oh! he can import as much as he chooses. Once he has his interim copyright, he gives his consent to an agent, who can flood the whole Dominion in a week with enough imported books to effectually stifle any Canadian desire to reprint, and should any competing bookseller, seeing the books about the country, import a case of them, Her Majesty's Customs are watching the interests of the cunning author, and collect a fine, half of which goes to him, while, if the books are confiscated by the Customs Authorities, his American publishers have received his and their profit on the invoice, and do not care a straw. The partial privilege granted by clause 15 to the Canadian printer of a work not copyrighted, is so beset with obstacles that it is worthless. Clause 22 contains the germ of a good provision, but here again, the Canadian printer is totally ignored.

We now take the liberty of suggesting a few changes to the Bill, and some additions.

Let the Copyright be conditional upon the printing and publication in Canada of every copy of the work to be circulated in the Dominion.

Every copy should give the name and residence of the Printer and Publisher, as provided by the Act of 1868.

Interim Copyright to be conditional upon immediate publication, and granted only on satisfactory evidence of good faith; as, the contract with a printer. Author not to be allowed to import copies of his work during the term of the interim copyright.

Allow Canadian Publishers to obtain temporary rights on works not copyrighted, as follows: They shall notify the author and the Minister of Agriculture of their intention to publish any particular work, not copyrighted. The Minister will also forward a copy of the notice to the author, who will have three months

delay wherein to copyright. At the end of this time, should the latter have taken no steps to secure his property in the Dominion, the Minister will grant to the Canadian Publisher a copyright of the work for two years. This will enable him to print and sell an edition, and secure him against the surprise of a foreign supply. The three months notice would apply to British authors only. One month would be sufficient notice to American authors, and only intended to put them *en demeure*, so that they would have to come and publish here, themselves, or submit to lose their sales in Canada for two years.

Foreign editions of works copyrighted in Canada to pay a duty of twenty-five per cent., this being only the protection given by the United States to their book-makers. If this duty remain entire in the coffers of the Dominion, it will be a further stimulus to authors to employ Canadian Printers, as they will reap no harvest from imported books.

In this connection, it may be observed that the American tariff of twenty-five per cent. on books, while it has built up an enormous trade, has not made of literature, in the United States, a rare or expensive luxury. No where are books more plentiful or cheaper. Then why not imitate to some extent this policy? It can be done by equalising the duties on books and on papers. Let a duty of seven and a half per cent additional be levied on all books, or reduce the duty on the raw material by seven and a half per cent. In other words, let all books, not copyrighted, be taxed twelve and a half per cent., or give us paper and binding materials at ten per cent.

The fine for infringement of copyright should not be limited to one dollar. Why it should be in any case as low as ten cents, is hard to conceive, unless it be intended to encourage law-breaking in small matters. The minimum should be \$1.00 and the maximum not less than \$5.00—as this sum would only represent one third or one fourth the value of many works which have been and may be issued in Canada. In conclusion, we hope the whole subject of copyright and its influence on the Canadian Publishing and Printing trade will now be thoroughly ventilated, and such a law framed as shall foster and develop this important industry.

THE CHIEF JUSTICESHIP.

A bill has been introduced into Parliament by the Minister of Justice to establish a Supreme Court and a Court of Exchequer for the Dominion of Canada. The Supreme Court is to be presided over by a Chief Justice; he may be appointed from the Judges of the Superior Court or from barristers or advocates of either Province of at least fifteen years standing. The Puisne Judges must be either Judges of the Superior Court or barristers of ten years standing in either Province. The Chief Justice and Judges of the Supreme Court shall be respectively Chief Justice and Judges of the Exchequer Court of Canada and shall reside at Ottawa. The Chief Justice shall rank over all the judges of the Dominion and over the Chancellor, the Puisne Judges ranking equally with the Chief Justice of the highest court in the Province, and the Chancellor of Ontario. The Supreme Court is to hold at Ottawa two sessions annually, the first beginning on the third Monday of January, and the second on the third Monday of June. It shall exercise an appellate, civil and criminal jurisdiction within and throughout the Dominion. After the organization and exercise of appellate jurisdiction of the Supreme Court, parties interested in decisions given by judges in the case of contested elections may appeal to it. The Governor, by and with the consent of his Privy Council, may direct a special case to be laid before the Supreme Court, setting forth any act or bill passed by or brought before the Parliament of Canada

or any provincial legislature. He may also refer the interpretation of the British North America Act of 1867, and any treaty with a foreign State and other matters of similar nature to the Supreme Court, obtaining a certification of that Court's opinion. The Exchequer Court shall have and possess exclusive original jurisdiction save in British Columbia and Manitoba, in all cases in which it shall be sought to enforce any law of the Dominion of Canada, relating to the revenue. Proceedings, unless otherwise provided for, shall be regulated by procedure of Her Majesty's Court of Exchequer, at Westminster, in its revenue side. Any party by complying with certain rules can appeal against a decision of the Court of Exchequer to the Supreme Court. These are the main features of the Act which has already been accepted by Parliament, and which the whole country will hail with satisfaction, as the remedy to a very urgent and serious public want. There are minor technical details to which we need not refer. We prefer adverting to another point not less important than the establishment of the Court itself. We mean the Chief Justiceship. The question has already been freely mooted in the papers. Several appointments have been suggested, all of them good, such as Messrs. RICHARD, DORION and BLAKE. But strangely enough, one name has been omitted, the most salient and distinguished of all. We take the liberty to supply the omission and to urge the appointment of SIR JOHN A. MACDONALD. Of his qualifications there are not, nor can there be two opinions. Genius, tact, thorough professional knowledge, geniality, immense experience—he has them all, beside the dazzling prestige of a national reputation. We believe the nomination would be popular all over the country, with men of every party. It would be the fit crowning of a great career, the proper reward of a lifetime devoted to the public service. If even he did not accept, which we doubt, the offer of the position would be a graceful, generous, noble act on the part of the Government. From a mere party point of view, it would strengthen and elevate the Ministry. From words which escaped SIR JOHN in the debate on the bill, we infer that he himself would have appointed Mr. DORION to that dignity, had he remained in office. Surely his opponents would not be beneath him in disinterestedness.

QUARANTINE.

The Report of the Minister of Agriculture gives us an interesting account of the Quarantine Service of the Dominion.

At the principal station at Grosse Isle, from out of the large fleet of 1,200 vessels that entered the Harbour of Quebec, carrying at least from 50,000 to 60,000 passengers and seamen, it was only necessary to retain at the Quarantine Station four ships carrying 515 passengers. The admissions to Hospital were only 62, and the deaths three. Only 7 deaths were reported at the station as having occurred at sea. These figures show an unusually healthy season, and fall far below the average of preceding years. Dr. MONTIZAMBERT, the Medical Superintendent at Grosse Isle, remarks that similar exceptional seasons have before occurred. Thus in 1859 there were but 92 admissions to hospital and no deaths. In 1860 the admissions were again 92. In 1863, 1864 and 1865, the admissions were only 44, 60 and 33 respectively. These comparatively healthy epochs, however, alternated with others less healthy. Thus the low numbers of 1859 and 1860 were followed by 341 admissions, including 103 cases of small pox in 1861, and by 367 admissions including 137 cases of typhus fever in 1862. So again, the low numbers in 1863, 1864 and 1865 were succeeded by cases of contagious disease numbering 271, 375, 424 and 494 in the four following years. It is specially worthy of remark that although the small-pox prevailed extensively this year at many of the shipping